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<b>Application Number:</b>	19/01500/OUT
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<b>Application Type:</b>	Outline Planning
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<b>Proposal Description:</b>	Outline application for mixed use development to include B1 (Business), D1 (Non -residential institutions), D2 (Assembly and leisure) uses in addition to A3 use (Food and drink) ancillary to the office unit (Approval being sought for access)
<b>At:</b>	Land at South End, Thorne, Doncaster, DN8 5QP

<b>For:</b>	Mr James and Albert Clarke
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<b>Third Party Reps:</b>	22 objections	<b>Parish:</b>	Thorne Town Council
		<b>Ward:</b>	Thorne And Moorends

<b>Author of Report:</b>	Mary Fleet
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## SUMMARY

The proposal seeks outline permission for a mixed use development to include B1 (Business), D1 (non-residential institutions), D2 (assembly and leisure) uses in addition to A3 use (food and drink) ancillary to the office unit (Approval being sought for access) with matters of appearance, landscaping, scale and layout being reserved.

B2 use was initially included in the description but this has now been removed.

The proposal is considered to be acceptable in policy terms being sited on land designated in the Doncaster UDP as for mixed use development. This site is one of three sites (under the heading RP7) which are linked by the canal and designated as being for a range of uses: the site at South End being allocated as for housing, boatyard works, marina, public open space, leisure, small scale commercial uses and light industrial workshops (B1).

Under the UDP the development is considered to be an acceptable and sustainable form of development in line with paragraph 7 and 8 of the National Planning Policy Framework (NPPF, 2019).

Under the emerging Local Plan the land is proposed to be reallocated as countryside.

The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. The development would not cause undue harm to neighbouring properties, the highway network, rail network or the wider character of the area.

**RECOMMENDATION: GRANT planning permission subject to conditions.**



## **1.0 Reason for Report**

- 1.1 The application is being presented to Members having generated significant public interest.

## **2.0 Proposal and Background**

- 2.1 This application is for outline mixed use development to include B1 (Business), D1 (Non -residential institutions), D2 (Assembly and leisure) uses in addition to A3 use (Food and drink) ancillary to the office unit. Approval is being sought for access only. (B2 use was included in the original application but this has now been removed)
- 2.2 The site is allocated within the Unitary Development Plan as subject to policy RP7 which sets out that a number of uses are acceptable in this location in particular small scale commercial uses and small scale light industrial uses.

## **3.0 Site Description**

- 3.1 The site lies to the south of the existing settlement of Thorne bound on its northern boundary by the North Eastern Railway's Hull and Doncaster Branch line and to the south and west by the Sheffield and South Yorkshire Navigation and to the east by the road way – South End. Residential properties front onto South End. To the south east however is Blue Water Marina; a commercial enterprise specialising in the sale of narrow boats, it provides a mooring for others and in addition to this some of the moorings are primary residences.
- 3.2 The site is generally flat with gentle undulations with a mixture of scrub and vegetation within the site boundary. The site in recent months appears to have been cleared the most notable greenery now flanks the site. At the time of visiting the site in the first instance it was apparent that Network Rail were undertaking works along the railway embankment.
- 3.3 Thorne South railway station lies immediately to the north east of the application site and immediately to the north the water tower is a dominant landscape feature.
- 3.4 The housing development along South End is varied: some built development fronts almost immediately on to the road, other properties are set further back. Boundary treatments are varied also tending to consist of a mixture of mixed hedgerow and low level boundary walls.

## **4.0 Relevant Planning History**

- 4.1 There is no recent relevant planning history. Historically applications had been granted for a single dwelling (under application 92/3668/P) and later under reference 94/2648/P granted consent for 2 dwellings. Neither scheme was ever implemented and now under the UPD would be considered contrary to the aspirations set out on policy RP7.

## **5.0 Site Allocation**

- 5.1 The site is located within an area designated as for mixed use development RP7 by the Doncaster Unitary Development Plan. The site is also in flood zone 3.

## 5.2 National Planning Policy Framework (NPPF 2019)

- 5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:
- 5.4 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.5 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.6 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.7 Paragraph 80 states: 'Planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'
- 5.8 Paragraph 83 states that 'Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data driven, creative or high technology industries....'
- 5.9 Paragraph 87 states that 'when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.'
- 5.10 Paragraph 109 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.11 Paragraph 111 states that 'all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed'

- 5.12 Paragraph 117 states that 'planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'
- 5.13 Paragraph 118 states that planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.
- 5.14 Paragraph 158 states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 5.15 Paragraph 160 states that the application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
  - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 5.16 Paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by:
- d) minimising impacts on and providing net gains for bio-diversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
- 5.17 Paragraph 180 states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to the impacts that could arise from the development. In doing so they should:
- a) Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 5.18 Core Strategy 2011 - 2028
- 5.19 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

- 5.20 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.21 Policy CS1 of the Core Strategy states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs and protect local amenity and are well designed.
- 5.22 Policy CS2 of the Core Strategy sets out the Council's growth and regeneration strategy which includes the settlement hierarchy. It identifies Thorne as a principal town and identifies within Table 2 the broad locations for employment citing Thorne as one of the principal towns where growth in the retail, leisure and catering sector should where possible be encouraged.
- 5.23 Policy CS4 of the Core Strategy sets out the Authorities approach to dealing with Flood Risk in line with National Policy. Criterion A, B and C of Policy CS4 are applicable which looks to steer development away from the highest areas of flood risk, ensure that developments will be safe for the lifetime of the development and apply the Sequential Test and Exceptions tests where appropriate.
- 5.24 Policy CS5 of the Core Strategy states that local employment sites will generally be retained for employment purposes with alternative uses being supported where the use is appropriate in terms of scale, design and location, will not adversely affect the efficient operation of the adjacent employment land or uses and meets one of the following criteria:
1. It supports the employment uses located on the employment allocation.
  2. It is a specialist use which is appropriate to an employment site and cannot be located elsewhere; or
  3. Has a mix of commercial and/or community uses that provides clear additional benefits.
- 5.25 Policy CS14 of the Core Strategy requires development to have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. The policy goes on to state the developments must be robustly designed, work functionally, (be) attractive and make a positive contribution to a successful place:  
3) Quality, stability, safety and security of private property, public areas and the highway.
- 5.26 Policy CS16 of the Core Strategy seeks to protect and enhance Doncaster's natural environment.

Doncaster's natural environment will be protected and enhanced, in accordance with the principles set out below.

A) Proposals will be supported which enhance the borough's Ecological Networks;

D) Proposals will be supported which enhance the borough's landscape and trees by:

1. being appropriate to the landscape's character, sensitivity and capacity;
2. including measures to mitigate any negative impacts on the landscape;
3. ensuring designs are of high quality, include appropriate hard and soft landscaping, a long term maintenance plan and enhance landscape character while protecting its local distinctiveness; and;
4. retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.

5.27 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)

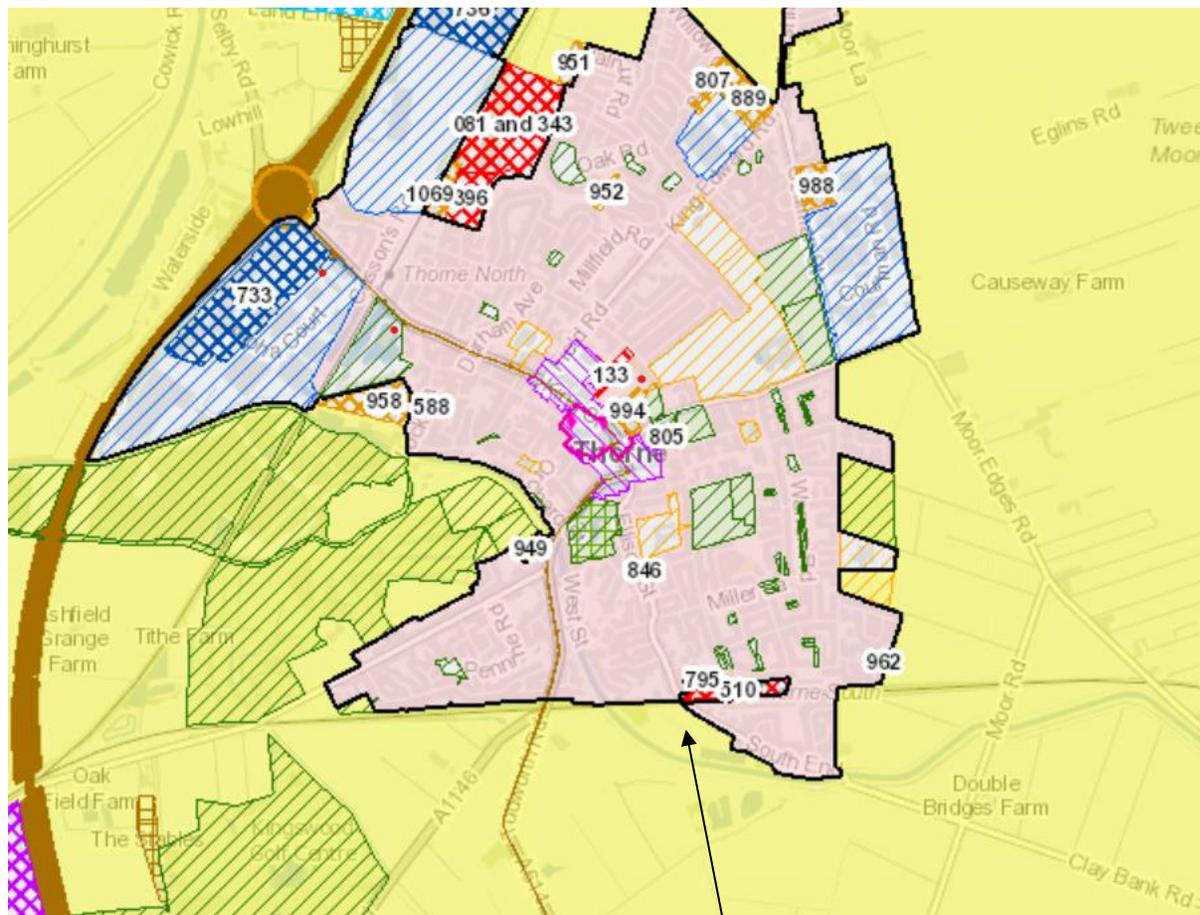
5.28 Policy RP 7 of the UDP is the policy governing what is considered to be acceptable development on this allocated site. This policy covers the use of three sites linked by the canal in Thorne. The policy states in point c) that South End Marina and land to the south of South End will be developed for housing, boatyard works, marina, public open space, leisure, small scale commercial uses and light industrial workshops (B1) uses.

5.26 Local Plan

5.27 The Local Plan has been formally submitted for examination on 4th March and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

5.28 The Council has now sent out the notice of examination (regulation 24 stage) and is aiming to adopt the Local Plan by winter 2020. The following policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy: The emerging Local Plan identifies the site as being on land designated as countryside – this is a change to the allocation under the UDP.



Application Site

- 5.29 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.
- 5.30 Policy 2 identifies Thorne and Moorends as a main town, which will be a focus for new development. This policy is considered to carry limited weight at this time.
- 5.31 Policy 26 considers development in the countryside and states in part 4 that proposals for non-residential development will be supported provided that:
  - A) The rural location of the enterprise is justifiable to support a prosperous rural economy in accordance with national policy in the NPPF;
  - B) The location of the enterprise would not have a significant adverse effect on neighbouring use or on highway safety;
  - C) The development is of a size (including floorspace) and scale commensurate with an existing use, or that reasonably required for a new use, and with the rural character of the location; and
  - D) The scale and design of the proposal would not have a significant adverse impact on the landscape.

This policy is considered to carry limited weight at this time.

- 5.32 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.

- 5.33 Policy 33 states that the design process should consider woodlands, trees and hedgerows. This policy is considered to carry substantial weight at this time.
- 5.34 Policy 43 deals with the need for good urban design. This policy is considered to carry moderate weight at this time.
- 5.35 Policy 55 requires the need to take into account air and noise pollution. This policy is considered to carry limited weight at this time.
- 5.36 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.37 Policy 57 requires the need for satisfactory drainage including the use of SuDS. This policy is considered to carry moderate weight at this time.
- 5.38 Policy 58 deals with the need to consider flooding. This policy is considered to carry limited weight at this time.
- 5.40 Policy 61 requires the need to protect the best and most versatile agricultural land. This policy is considered to carry limited weight at this time.
- 5.41 Policy 66 deals with developer contributions. This policy is considered to carry moderate weight at this time.
- 5.43 Thorne & Moorends Neighbourhood Plan (NP).
- 5.44 A neighbourhood plan for Thorne and Moorends is currently in preparation. Pre-submission consultation and publicity has taken place and is currently at what is known as Regulation 14 stage. Consequently it is considered that the weight to be afforded to the Thorne and Moorends NP is moderate.
- 5.45 The application site is not allocated within the Neighbourhood Plan and in addition to this the plan is silent, with the exception of Thorne Moor visitor centre, in respect of the countryside surrounding the built up area.
- 5.48 Policy DDH3 however is relevant setting out the need for good design, for development to respect residential amenity and for employment proposals to be suitably landscaped and architecture chosen at a human scale to help integrate the development into its setting.
- 5.49 Policy T3 relates to increased parking at Thorne South station. The proposals map identifies an area around Thorne South station that is safeguarded for the provision of additional car parking to serve the train station. Development within the safeguarded area will be supported here public car parking forms part of the proposal.
- 5.50 On all other respects it is relevant to defer to the UDP and the Core Strategy as the development plan documents.
- 5.51 Other material planning considerations
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)

- Development and Flood Risk (SPD) (2010)
- National Planning Policy Guidance
- Air Quality Technical Planning Guidance

## 6.0 Representations

6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, council website, press advertisement and neighbour notification.

6.2 The application was initially submitted on 19.6.2019 and advertised via neighbour notification on 4.7.2019 and via site notice on 12.7.2019. Additional notices were also posted on 9.8.2019 following complaints from local residents that the application had not be publicised sufficiently. Following this publicity, a total of 22 local residents sent in letters of objection. A summary of the material planning issues raised is set out below:

- Outline nature of the plans
- Development not respectful of the sites ecology – the site was cleared removing trees/vegetation and shrubs
- Lack of clarification regarding flooding issues – the proposed development will make flooding issues worse. Historically the land has been flooded – new development of the site will be problematic.
- Detrimental to character/landscape beauty of the area. The area attracts hobby uses – horse riding, walking, cycling – the development will interrupt this and the interaction with nature. Granting this development will encourage further development to the south of Thorne.
- Development not in keeping with the residential area; if developed at all it should be for dwellings. Concerns were expressed regarding noise/pollution from the proposed use.
- Minimal impact on jobs – other sites are new/vacant and these could be utilised – lack of need
- Highway safety issues relating to visibility given existing issues for traffic exiting the railway station this development will add to this. The road is narrow with parking on it, raising concerns regarding increased traffic on what is already a busy road. Concerns also raised in respect of larger vehicles visiting the site /using the local roads larger bringing increased noise, the height restriction on the bridge has also been raised as is the weight limit on the canal bridge to the south meaning that it is only possible for larger vehicles to access the site from the town centre. It is considered that the existing 20mph speed limit indicates that the road is not capable of accommodating further traffic, there is no footpath and it is considered unsafe for residents especially children walking to school.
- The land isn't designated as being for business use in the Local Plan (principle)

Non material issues raised included the following:

- Worries in respect of impact of the construction period both generally speaking and in terms of the railway embankment
- Property values
- Obstructing the view ...blight to the view of the canal and the boats – from the point of view of residents and users of the canal

Non-material issues are not planning considerations and are therefore outside of the scope of this report.

## **7.0 Relevant Consultations**

**7.1 DMBC Local Plans (flooding)** – have provided advice with regards to the scope of the sequential test and the need for the exception test in respect of the D1 element of the application given this use is classed as ‘more vulnerable’

**7.2 DMBC Local Plans (employment)** – have raised no objections in principle – identifying the site as a small scale mixed use regeneration project (RP7: Canal Side, Thorne). A number of use classes are appropriate in this location in particular small scale commercial uses and small scale light industrial uses.

**7.3 DMBC Ecology** – initially objected given the clearance of the site and the lack of information submitted in the preliminary appraisal. Further information has been submitted including a bio-diversity net gain calculation which would need to be delivered at reserved matters stage following the submission of a BNG DEFRA metric calculation. On this basis the ecology objection has been removed.

**7.4 DMBC Trees** – Given that the site has been cleared the main interest lies in the site boundary. It has been clarified that the vegetation flanking the site can be pruned, and maintained to achieve the visibility splay.

**7.5 Network Rail** – have raised no objections to the principle of the development subject to a number of conditions and informatives

**7.6 Canal and Rivers Trust** – have responded to say they don't wish to be consulted

**7.7 Yorkshire Water** – no objections subject to conditions relating to foul and surface water drainage

**7.8 Environment Agency** – removed their objection following the submission of the flood risk assessment compiled by EWE Associates Ltd (ref: 2019/2426 Rev C) the development is to be carried out in accordance with this assessment and it is stated that an emergency evacuation plan should be agreed upon with the LPA.

**7.9 Doncaster East Drainage Board** – raised an objection relating to the proximity of the development to the board's maintained watercourse. Given however that this is an outline applications, agreeing only access then the specifics of this can be agreed at reserved matters stage. In this instance the board require a minimum of 9m clearance between the water course bank top and the edge of any new building/structure including walls, fences, hedges, trees etc. The boards consent is required for any development within 9m of the top edge of any Board maintained watercourse/culvert

- 7.10 DMBC Drainage** – have requested that full drainage details be agreed pre-commencement
- 7.11 DMBC Environmental Health** – has raised no objections however they have stated that upon the submission of the reserved matters application a noise impact assessment should be submitted mainly to establish the existing background noise levels. They have stated also that at that point it may be necessary to attach conditions/agree details of other matters relating to kitchen extraction equipment or opening hours, for example.
- 7.12 DMBC Pollution Control** – have asked for conditions to be applied to this consent to protect future user of the site from potential land contamination.
- 7.13 DMBC Air Quality** – have raised no objections given the location and scale of the development. None of the uses are proposed on such a scale that would necessitate further assessment based on the criteria set out in the Air Quality Technical Planning Guidance.
- 7.14 DMBC Highways** – having reviewed the requested details relating to the visibility splays and the tracking movements highways have no objections
- 7.15 DMBC Transportation** – have raised no objections following receipt of the transportation statement which clarifies that the anticipated number of vehicle movements will be at an acceptable level, footways have been included as well as dropped kerbs and tactile paving. They welcome the cycle parking and the transportation assessment includes details of the EV charging point hence removing the need for a condition relating to this.
- 7.16 National Grid** – have responded to say that it is the applicant's responsibility to contact them prior to the commencement of any works on site in order to determine whether any apparatus is likely to be affected by the works. An informative note is to be included in this regard.
- 7.17 DMBC Area Manager** – no response
- 7.18 Parish Council** - no response

## **8.0 Assessment**

8.1 The proposal seeks outline permission mixed use development to include B1 (Business), D1 (Non -residential institutions), D2 (Assembly and leisure) uses in addition to A3 use (Food and drink) ancillary to the office unit. Approval here is being sought for access. In considering the proposal the main material planning considerations are outlined below:

- The acceptability of the mixed use development
- The impact on neighbouring residential properties
- The impact on the ecology of the site
- The impact on the existing trees
- The impact on the character of the area
- Flooding and Drainage issues
- Whether there is an impact on the nearby rail network
- The impact on the highway network and highways standards
- Pollution matters

8.2 For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little
- No

#### Appropriateness of the proposal

8.3 Paragraph 80 of the NPPF places significant weight on the need to support economic growth and productivity taking into account both local business needs as well as wider opportunities for development. Saved Policy RP 7 of the UDP establishes what is considered to be an acceptable form of development on this allocated site. The policy states in point c) that South End Marina and land to the south of South End will be developed for housing, boatyard works, marina, public open space, leisure, small scale commercial uses and light industrial workshops (B1) uses. Whilst the Unitary Development Plan was adopted in 1998 the allocation maps form part of the development plan and as such is a material planning consideration carrying substantial weight.

8.4 Consideration should also be given to the Thorne and Moorends Neighbourhood Plan. Paragraph 29 of the NPPF states that Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. The plan is currently at what is known as Regulation 14 stage following pre-submission consultation and publicity and therefore the weight that is to be afforded to the plan is moderate.

8.5 The application site is not allocated within the Neighbourhood Plan and in addition to this the plan is silent, with the exception of Thorne Moor visitor centre, in respect of the countryside surrounding the built up area.

8.6 Policy DDH3 stresses the need for employment proposals to be suitably landscaped and architecture chosen at a human scale to help integrate the development into its setting. In addition to this policy T3 seeks to encourage more car parking at Thorne South railway station. Other than this the plan is silent in terms of policies relevant to this application therefore it is relevant to defer to the UDP and the Core Strategy as the development plan documents.

8.7 Further to this having identified policy RP 7 of the UDP as being of relevance in determining this application policies CS 1 and CS 2 of the Core Strategy seek to secure and improve economic prosperity and support growth and regeneration.

8.8 It is further noted that the emerging Local Plan alters the designation of this site to countryside without the mixed use allocation. However the Local Plan has yet to be adopted as the statutory development plan so this change in allocation carries

limited weight. There has been an objection received from a member of the public noting this anomaly stating that the granting of the development will encourage further development to the south of Thorne. This would be policy complaint only on the land designated as RP 7 for the time that the UDP forms part of the statutory development plan. Thereafter following the adoption of the Local Plan the land will revert to a countryside designation and development will be restricted accordingly. At the current time the policies within the UDP hold greater weight.

8.9 In respect of the objection received relating to the outline nature of the plans, it is important to state that the application seeks outline planning permission with permission sought in relation to the principal of permission and access. Details in relation to landscaping, appearance, scale and layout will form reserved matters applications which will be considered at a later date should permission be granted.

#### 8.10 Sustainability

8.11 The National Planning Policy Framework (NPPF 2019) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs

8.12 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that to ensure sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

### **SOCIAL SUSTAINABILITY**

#### 8.13 Impact on Residential Amenity

8.14 The properties most likely to be affected by the development are those located on South End (east of the site), to a lesser extent those residents on boats moored on the canal and at Blue Water Marina. Whilst indicative, the amended plans have been carefully designed so as to minimise the impact of the development on existing neighbouring properties. The built form is set back into the site by more than 36m (in respect of South End), greater than 17m (in respect of the canal at the closest point) and over 100m (in respect of the marina) thus the proposal does not raise concerns in terms of dominance.

8.15 Whilst it is acknowledged that the view from many of the properties on South End and from the canal will change, there is no right to a view. Moreover the plans are at this point indicative with the specifics of the layout, scale and design of the development to be agreed at reserved matters stage. This is not a matter being considered as part of the current application.

8.16 Though the specifics of scale and design are to be agreed at reserved matters stage it is considered that there is scope within the site to locate the proposed buildings and the parking and for the layout to be workable in such a way that does not adversely affect neighbouring properties in terms of over dominance or loss of privacy. The built form can also easily be located where there will be no issue in respect of overshadowing. This weighs positively in favour of the application carrying moderate weight.

8.17 The impact of the proposed use on residential amenity in terms of noise is also relevant, the concerns of local residents noted, and in this respect environmental health have been consulted. Their response has acknowledged the already raised noise levels due to the proximity of the railway line. Given this existing situation it is considered unlikely that the proposed use is going to have a detrimental impact. They recommend however that noise conditions should be applied to any fixed plant to prevent any noise over and above the existing background level. On submission of a reserved matters application a noise assessment will therefore be required and the findings of this will be used to guide the specifics of the development as well as informing further conditions relating to air conditioning, air extraction units, opening hours and so on to ensure the development is not detrimental to those resident in the locality in terms of noise.

### **Conclusion on Social Impacts.**

8.18 In conclusion of the social impacts of the development, it is not considered that residential amenity will be adversely affect by the proposal in accordance with policy CS14. The proposal has been able to adequately demonstrate that this mixed use development can be achieved on the site without adversely affecting the residential amenity of neighbouring properties through overlooking, over dominance or loss of privacy though the specifics of the layout, scale and design have yet to be agreed.

8.19 In order to ensure there is no significant noise impact is generated by the proposed use a noise impact assessment will be required to guide the specifics of the development.

8.20 It is also anticipated that the proposal would lead to some noise and disturbance being generated whilst construction is taking place, however this is considered to be short term when considered against the lifetime of the development. Notwithstanding this, planning conditions have sought to mitigate this harm as far as possible by the submission of a Construction Impact Management Plan and Construction Method Statement and as such this is considered to carry limited weight against the proposal.

### **ENVIRONMENTAL SUSTAINABILITY**

#### Impact upon the character and appearance of the surrounding area

8.21 Policies CS1 and CS14 of the Core Strategy requires that all proposals in Doncaster must be of high quality design that respects the character of the area in regard to a number of principles of good design. Whilst the site plan submitted is for indicative purposes it is considered that that the proposed development makes reasonable use of the site: in its current iteration the land does not appear to be overdeveloped, the built form is set back from the road, landscaping is proposed and there remains an element of openness to the site which is positive.

8.22 The applicant has provided amended plans to clarify that the layout, scale and design thoughts are at this time indicative with the matter of principle and access being for consideration here.

8.23 Whilst the value of the land and the contribution it makes to character is of value and to be considered as part of the planning process the site itself is not a space open for the benefit of the publics enjoyment/recreation. Therefore much as an

objection has been made and the fact that the area is used for hobby use – horse riding, cycling and so on these activities are taking place around the site and will not be precluded from continuing should the site go on to be developed out.

- 8.24 Should planning permission be granted the appearance of the area would undoubtedly change however it is considered that there is scope within the proposal to ensure that this is not done to the detriment of the area or without suitable mitigation in the form of landscaping (for which a condition is to be included) and an assessment of the proposed layout at reserved matters stage.

### Highways

- 8.25 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway or the residual cumulative impacts would be severe. Paragraph 111 goes on to stipulate the requirement for all developments which have the potential to generate significant amounts of movement to be supported by a transport statement /assessment into the potential impacts of the development.
- 8.26 This application seeks outline consent in principle and also for the access. It is relevant to give consideration to both the suitability/ workability of the access as well as to the potential impact of this use locating here in order to determine as to whether this proposal is acceptable.
- 8.27 The proposal has raised a number of objections from local residents and in progressing this application it is considered that the following analysis gives clarity on these issues as well as detailing how it is considered that the access will work and what the details of the transportation statement have clarified in terms of the potential impact of this proposal on the surrounding area.
- 8.28 The highways department have requested that the applicant provide further, more detailed plans relating to the access (in terms of visibility and manoeuvring) and to clarify in respect of the feasibility of movements within the site.
- 8.20 One of the concerns raised by local residents related to visibility given the proximity of the proposed access to the railway bridge. This was a detail the highway department also sought to clarify and accordingly a preliminary access design and a more detailed drawing detailing the visibility splay have been provided (plan LTP/3896/C1/01.01B) These plans confirm that to the right a visibility splay of 2.4m x 48m is achievable, based on a speed limit of 30mph, to the left a splay of 2.4m x 40m subject to some minor clearance of vegetation. This is considered to be acceptable from a highways perspective and also in accordance with the Manual for Streets guidance.
- 8.21 In addition to demonstrating the required visibility splays both the preliminary access design plan and the more detailed visibility splay drawing demonstrate that footpaths, tactile paving and dropped kerbs are to be provided which have been approved by both the highways and transportation team. These both ensure the safety of pedestrians and enable the development to be easily and safely accessed on foot which is welcomed in terms of sustainable travel.
- 8.22 In respect of the comments made relating to the access to Thorne South railway station this is noted but not a matter for consideration here. If, as is suggested may be the case by policy T3 of the Thorne and Moorends Neighbourhood Plan, a

proposal comes forward which as well as other benefits would see an increase in the parking at the station, then any application would be subject to the same analysis and an assessment made in relation to the safety of the access at that time. Concerns raised by local residents would also be considered at that time.

- 8.23 The applicant has provided also a swept path analysis plans showing for illustration purposes a refuse wagon turning into and out of the site (plan LTP/3896/T1/01.01 B) in order to demonstrate that the proposed access is feasible for the largest vehicle likely to need to access the site. Likewise a further tracked plan (LTP/3896/T1/02.01B) has been provided showing the ability of the refuse wagon to manoeuvre within the site. Both of these are considered to be workable and have been approved by the highways department illustrating that as well as the access being safe in terms of visibility it is also fit for purpose and able to accommodate larger vehicles without compromising other road users or the schematics of the site.
- 8.24 In addition to considering the access it is also necessary to look at the potential wider impact of the proposal and the capacity of the existing road network to withstand the increase in traffic associated with this development. In support of this proposal the applicant has commissioned a Transportation Statement (December 2019) which has been reviewed by both the highways and transportation teams. Of particular interest given the concerns raised by local residents was both the collision records, the road safety impact and the proposed traffic generation.
- 8.25 The report identified that over an extended 5 year period (01.01.2013 – 30.06.2018) there had been a total of 3 collisions within the study area, resulting in 6 casualties. Figure 6 of the transportation statement shows the location of these collisions and it is notable that none of these occurred in the vicinity of the proposed site access. Figure 4.2.1 goes on to conclude that an analysis of the study collisions has not revealed any identifiable existing collision issues associated with the expected movements of the proposed development and it is further considered that provided the site access junction and the internal roads are designed with due consideration to road safety then it is not thought that the proposal will be detrimental to road safety, impact negatively on the local highways network or adversely affect the safety of pedestrians and cyclists. Therefore, although concerns have been raised in relation to highway safety it is not considered that the details relating to accidents and road safety in the transportation assessment substantiates these concerns.
- 8.26 In terms of proposed traffic generation section 5 of the transport statement looks at this in more detail looking at comparable sites, and with the assistance of computer modelling has produced figures to show the projected trip generation projections for this site. The proposed development could generate up to 29 two-way vehicle trips during the AM peak hour (08:00 – 09:00), with 25 during the PM peak hour (17:00-18:00) and 218 across a day (07:00- 19:00). These figures are based on the worst case scenario meaning that the entire floor area is occupied by B1 uses, furthermore it is assumed that each unit will be let to separate businesses though this is not expected to be the case given that the 3 proposed lock up units are expected to provide storage facilities thus the traffic generation will in reality be lower. National Department for Transport Guidance, which hitherto was not applied rigidly, stated that the impact of a development could be based on a threshold of 30 two-way peak hour vehicle trips, has now been superseded deferring instead to the NPPF and Planning Practice Guidance to provide a steer. In line with the NPPF the transportation statement has been provided and although this sets no specific threshold the fact that the proposal is in accordance with the former guidance from

the Department of Transport is reassuring. It is considered that the impact of a development at this site is not expected to be severe and therefore the proposal is regarded as being in accordance with paragraph 109 of the NPPF.

- 8.27 Given the modelling that has been undertaken relating to proposed traffic generation, the potential impact of the proposal is not considered to be of sufficiently significant to warrant either a contribution towards necessary highways improvements or a recommendation that the application be refused. The weight limit on the bridge to the south of the site is noted but the access from the north via the town centre considered capable of accommodating the projected level of traffic.
- 8.28 The issue of noise has been raised in relation to additional traffic movements however this has been addressed when the issue of noise has been discussed more generally above..
- 8.29 The transportation assessment therefore clarifies that the required visibility splays can be achieved. Further to this details have been provided within this assessment that clarify that the application suitably mindful of road safety as well as clarifying that the proposal will have limited impact on the highway network based on the modelling exercise that has been undertaken. These details weigh considerably in favour of the application and it is considered that the above assessment answers local residents concerns relating to the highways situation.

#### Ecology

- 8.30 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment d) minimising impacts on and providing net gains for bio-diversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Policy CS 16 of the Core Strategy echoes this sentiment.
- 8.31 There were objections raised initially relating to ecology both from members of the public and from Doncaster's ecologist planner: the site has been cleared prior to survey work being undertaken and the information submitted in the preliminary ecological appraisal was considered to be insufficient. Following the submission of further survey work as well as a biodiversity net gain calculation our ecologist has removed their objection to this application given that all protected species and habitat surveys have been carried out and a biodiversity net gain assessment has been approved. It has been identified that there will be a loss of 0.6 biodiversity units on site and this would have to be increased to 0.66 units to deliver a 10% net gain.
- 8.32 Given that this is an outline application the biodiversity net gain requirement does not need to be delivered until a reserved matters application is submitted. At that point the applicant's will be required to submit a biodiversity net gain DEFRA metric calculation based upon the proposed footprint of the development and the actual on-site losses that will occur through that development. It has been calculated that as a guide, using our unit price calculator for 'neutral grassland' and the 0.66 units calculated above, an off-site contribution in the region of £6,438 would be required at reserved matters stage to offset the losses on the site. A condition requiring this calculation is to be attached to this outline permission.
- 8.33 As this undertaking has been reached with regards to the compensation for the loss of bio-diversity on this site on balance this is considered to be acceptable and the application in accordance with paragraph 170 of the NPPF as well as policy CS 16.

It is considered that the proposal achieving a 10% net gain in relation to biodiversity weighs in favour of the application carries moderate weight.

### Trees

- 8.34 Policy CS 16 in addition to seeking to retain and protect existing trees and hedgerows, seeks also to incorporate hard and soft landscaping as well as new tree, hedgerow and woodland planting into new developments.
- 8.35 Given that the site has been cleared the main interest lies in the site boundary. It has been clarified that the vegetation flanking the site can be pruned and maintained to achieve the visibility splay. The tree officer has been consulted and has approved the pruning and in addition has stated that a hedgerow of locally characteristic species with vertical elements (trees) should be used to help screen /soften the development. As this is an important factor in ensure the appearance of this development is acceptable and also important in terms of the benefits it has the potential to bring to the natural environment a condition is to be attached to this permission ensuring that at reserved matters stage such an agreement is arrived at.

### Network Rail

- 8.36 Network Rail have raised no objections to the principle of the proposed development subject to being able to satisfy a number of conditions relating to drainage, boundary fencing, Armco barriers, lighting and landscaping. These conditions are required to protect the safety, operational needs and integrity of the railway.
- 8.37 The consultation response raises other points which are to be included in the decision notice as informative notes: these matters relate to fail safe use of crane and plant, excavations/earthworks, security of the mutual boundary, method statements, OPE, vibro impact machinery, scaffolding, bridge strikes, cranes, encroachment, and access to the railway.

### Flooding and Drainage

- 8.38 The concerns of local residents relating to flooding are noted and the following points made by way of clarification. The application site lies within an area designated as Flood Risk Zone 3 benefiting from flood defences. The Environment Agency have been consulted as part of the application and originally objected to the application. An updated Flood Risk Assessment (FRA) has been submitted and the Environment Agency confirmed in October 2019 that they were able to remove their objection subject to a suitably worded condition. It is also noted that a condition is required regarding an emergency evacuation plan given that the floor levels are not to be raised above the critical flood level of 4.1m AOD. Instead of this the proposed nursery will incorporate a first floor refuge above 4.1m AOD which is acceptable particularly given the relatively low existing site levels. It requires though nonetheless the agreement of a flood evacuation plan. It then turns to determine whether the proposal has adequately applied the Sequential Test and Exceptions Test.
- 8.39 The NPPF makes clear that residential developments within high flood risk zones should look to apply the Sequential Test (ST). Paragraph 158 sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

- 8.40 Table 3: Flood risk vulnerability and flood zone 'compatibility' sets out the circumstances where the Exceptions Test should be applied. The D1 (non-residential institutions) element is classed as more vulnerable and this in combination of the site being classified as Flood Risk Zone 3 triggers the need for an Exceptions Test.
- 8.41 At paragraph 160 of the NPPF it states that the application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
  - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 8.42 In respect of the sequential test the search area was agreed as being elsewhere within the town of Thorne for suitable sites which are reasonably available and which are sequentially preferable. The sequential test submitted looked at sites identified by the Housing and Economic Land Availability Assessment (HELAA) 2015. The HELAA update 2017, within the Core Strategy (2012), the saved policies from the UDP as well as the Thorne and Moorends Neighbourhood Plan. Given that the site is located entirely in flood zone 3 to be sequentially preferable the site must be located in flood zone 1 or 2. The search returned results both from the HEELA, from the emerging Local Plan and another site (Thorne Coronation Club) was up for sale. All of these identified sites are located in flood zone 3 and therefore there is nothing that is sequentially preferable hence it is considered that the sequential test has been passed in respect of this application.
- 8.43 As the proposal contains D1 use which is classed as more vulnerable by national policy and its supporting guidance, then both parts of the exceptions test must also be met in line with NPPF para.160 and Policy CS4. Part 1 requires demonstration that the development provides wider sustainability benefits to the community that outweighs the residual risk.
- 8.44 The exceptions test response confirms the allocation of the site as a priority mixed use site within saved policy RP 7 of the UDP and a principal town for proposed growth and regeneration within the Core Strategy. The provision of employment generating development on the site accords closely with the save policies of the UDP and with the Core Strategy. It is concluded therefore that the benefits arising from the delivery of a mixed use scheme in a highly sustainable location weighs positively in support of the scheme. Additionally the scheme will provided facilities which will be of benefit to the local community.
- 8.45 Part 2 of the Exceptions Test process requires that the development will be safe for its lifetime (given to be 100 years) taking into account the vulnerability of its users without increasing flood risk elsewhere and, where possible, reduce flood risk overall. Here attention is drawn to Section 5 of the EWE Flood Risk Assessment which sets out the proposed mitigation measures which include the raising of land and floor levels safe emergency access and egress and control of run off. The applicant also proposes to sign up to flood warnings to ensure that the occupiers of the site are made aware of any potential flood events. Given that the Environment Agency have removed their objection subject to the development being carried out in accordance

with the measures outlined in the EWE Associates Ltd flood risk assessment (ref: 2019/2426 Rev C) it is considered that part 2 of the exceptions test has been passed.

### Pollution issues

- 8.46 As part of the consultation process, Doncaster's Pollution Control Team and Air Quality teams have been consulted. Pollution Control have advised that the site could potentially be contaminated and that therefore any consent should be subject to conditions ensuring this is safeguarded against.
- 8.47 The Air Quality Team has been consulted and have raised no objections given the location and scale of the development. None of the uses are proposed on such a scale that would necessitate further assessment based on the criteria set out in the Air Quality Technical Planning Guidance.

### **Conclusion on Environmental Issues**

- 8.48 Para. 8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.49 In conclusion of the environmental issues, it is considered that there has been no significant issues raised which would weigh against the proposal that cannot be mitigated by condition. As such, moderate weight can be attached to this in favour of the development through the achievement of biodiversity offsetting.
- 8.50 The proposal has demonstrated that the development would be safe for the lifetime of the development (as set out above) through the imposition of a planning condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment. In addition, sufficient information has been supplied to demonstrate that the application has passed the Sequential Test and that in this case the development would as a result of being allocated for mixed employment use, located within a sustainable location and through the imposition of conditions would provide wider sustainability benefits to the local community in line with the Exceptions Test. This weighs positively in favour of the application carrying moderate weight.
- 8.51 It is acknowledged that the appearance of the land would invariably change in the event that planning permission is granted. The proposed development would occupy land previously undeveloped which will alter the character of the site. That said the layout, scale and design of the proposal have yet to be approved and as part of a subsequent application a scheme befitting to the local context can be arrived at within the scope of the conditions attached to this outline consent.. Consequently, the impact of the development on the appearance of the surrounding area is considered to weigh neutrally.
- 8.52 Additional noise issues associated with the development are considered to be short term negative impacts which can be mitigated through appropriate conditions. Given the relative short term nature of the potential construction noise and disturbance when viewed over the lifetime of the development, it is considered that this carries limited weight against the proposal.

## **ECONOMIC SUSTAINABILITY**

- 8.53 It is anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesmen connected with the build of the project which is restricted to a short period of time whilst the works are being undertaken. In addition to this the proposal is in the spirit of that which policy RP 7 set out to achieve and will bring jobs to the local economy which carries moderate weight.

### **Conclusion on Economy Issues**

- 8.54 Para 8 a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- 8.55 Whilst the economic benefit of the proposal will not be huge the nature of the development is in accordance with UDP policy RP 7 proposing as it does to deliver a mixed use scheme on an allocated site in a sustainable location.

## **9.0 PLANNING BALANCE & CONCLUSION**

- 9.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site allocated for mixed use development in the UDP which remains the statutory development plan at this time. The principle of the development is therefore acceptable and the fact that this is the case carries substantial weight given that the issues relating to ecology, flooding and highways can be overcome by the inclusion of conditions.
- 9.2 This application looks to establish the acceptability of the development in principle as well as the details of the access. The aspects of landscaping, scale, appearance and layout are not for consideration here. Should members resolve to grant permission then these aspects will need to be considered under separate reserved matters application(s).
- 9.3 Importantly as this application seeks to establish not only consent for the principle of the development but also the access the highways considerations relating to visibility, road safety and proposed trip generation have been appropriately assessed and the plans and transport assessment details agreed upon.
- 9.4 Likewise at reserved matters stage a biodiversity net gain calculation will be required to compensate for the calculated on site loss and similarly the flood risk assessment as well as the sequential and exceptions test information have provided reassurance of the safety and sustainability of this proposal. A flood evacuation plan will be conditioned to supplement this.
- 9.2 Though the site is not of a significant size once developed out the units will make a contribution to the local economy by bringing jobs into the town.

- 9.3 It is also acknowledged that there will be some short term disruption whilst the site is being developed out however this is considered to carry limited weight when balanced against the other merits of the scheme.

## **10.0 RECOMMENDATION**

- 10.1 MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW

### **Conditions / Reasons**

01. The development to which this permission relates must be begun not later than whichever is the later of the following dates:- i) The expiration of three years from the date of this permission or ii) The expiration of two years from the final approval of the reserved matters or in the case of different dates the final approval of the last such matter to be approved.

#### **REASON**

Condition required to be imposed by Section 92 (as amended) of the Town and Country Planning Act 1990.

02. In the case of the reserved matters, application for approval must be made not later than the expiration of three years beginning with the date of this permission

#### **REASON**

Condition required to be imposed by Section 92(as amended) of the Town and Country Planning Act 1990.

03. Approval of the details of the appearance, landscaping, scale and layout (hereinafter referred to as reserved matters) shall be obtained from the Local Planning Authority before the commencement of any works.

#### **REASON**

The application is in outline and no details having yet been furnished of the matters referred to in the outline they are reserved for subsequent approval by the Local Planning Authority.

04. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans as follows:

Proposed plans dated 28.9.20 (indicative elevations and floor plans)

Swept path analysis dated 23.9.20 (refuse wagon accessing site)

Swept path analysis dated 23.9.20 (turning area within the site)

Visibility splay dated 23.9.20

Preliminary access design dated 23.9.20

#### **REASON**

To ensure that the development is carried out in accordance with the application as approved.

05.

Following submission of a Reserved Matters application no development shall take place unless approved by the Council and a Biodiversity Net Gain Assessment has been submitted to and approved in writing by the Council. This shall result in an Approved Scheme ("the Approved Scheme"). The Approved Scheme shall be approved with the purpose of ensuring that the Development shall not result in a biodiversity loss in accordance with the National Planning Policy Framework. The Approved Scheme shall either Include: -

- an on-site scheme that clearly demonstrates a biodiversity net gain within the development site which will be maintained for 30 years from the date of implementation of the Scheme;
- the identity of an appropriate receptor site or sites;
- include a management plan for the provision and maintenance of such offsetting measures for not less than 30 years from the date of implementation of the Scheme;
- include the provision of contractual terms to secure the delivery of the offsetting measures. The development shall be carried out in accordance with the Approved Scheme.

or

provide for a fixed sum contribution to be paid to the Council based on Biodiversity Units lost and a requirement to deliver 10% of Biodiversity Net Gain. The Council shall use the biodiversity contribution to enhance and secure long term management of biodiversity within the vicinity of the Application Site.

REASON

To comply with the requirements of the NPPF

06

The site shall be developed with separate systems of drainage for foul and surface water on and off site

REASON:

In the interest of satisfactory and sustainable drainage

07

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority .

REASON:

To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network

08

Surface water run -off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area (s) of more than 50 spaces must pass through an oil , petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

REASON:

To prevent pollution of the aquatic environment and protect the public sewer network

09

The development shall be carried out in accordance with the submitted flood risk assessment compiled by EWE Associates Ltd (Ref: 2019/2426 Rev C) dated September 2019 and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 3.53 metres above Ordnance Datum (AOD) as indicated in section 5 of the FRA.
- A first floor refuge above the critical flood level of 4.4mAOD to be constructed as stipulated in section 5 of the FRA.
- Flood resilient design measures to be incorporated in to the final design to a height of 4.4mAOD as indicated in section 5 of the FRA.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON:

To reduce the risk of flooding to the proposed development and future occupants.

10

On submission of the reserved matters application the applicant shall provide and reach agreement with regards to a suitable flood evacuation plan to safeguard the D1 use from the potential risks posed by a flooding emergency. The plan shall be agreed with the LPA and adhered to for the life of the development.

REASON:

To ensure the increased risk of flooding is dealt with appropriately and users of the facility thus safeguarded.

11

The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

REASON

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.

12

The development shall not commence until a report has been submitted to and approved in writing by the Local Planning Authority giving details of the existing background noise levels in the area and the predicted noise levels at the site boundary and boundary of the nearest noise sensitive premises arising from the proposed development. The information should cover night time as well as daytime periods and should be undertaken by a competent acoustic consultant using a

recognised methodology such as BS 4142: 2014. The report shall detail a scheme of noise attenuation measures to be utilised in order to prevent noise being a problem if identified by the report. The approved noise attenuation measures shall be installed and operational prior to occupation of the development. A further survey shall be undertaken when the scheme has been completed to compare the actual noise levels against the predicted noise levels to ensure that there has been no loss of amenity at the nearest noise sensitive premises.

**REASON:**

To protect the amenities of nearby properties from the adverse effects of noise.

- 13 Prior to the commencement of the development hereby approved full details of a scheme of landscaping, including the enhancement of the boundary, shall be submitted to and approved in writing by the Local Planning Authority. Unless as shall be specifically approved by the Local Planning Authority, the landscape scheme shall include a plan indicating the planting location of all trees and shrubs; a schedule including the nursery stock specification for all shrubs and trees in compliance with British Standard 3936: Part 1: 1992 Specification for Trees and Shrubs and planting density/numbers; a detailed specification for engineered tree pit construction that utilises a professionally recognised method of construction to provide the minimum rooting volume set out in the Council's Development Guidance and Requirements supplementary planning document and a load-bearing capacity equivalent to BS EN 124 Class C250 for any paved surface above; a specification for planting including details of tree support, tree pit surfacing, aeration and irrigation; a maintenance specification and a timescale of implementation, which shall be within 3 months of completion of the development or alternative trigger to be agreed. Thereafter, the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified prior to backfilling any engineered tree pits to inspect and confirm compliance and within seven days of the completion of landscape works to inspect and approve practical completion in writing. Any tree or shrub planted as part of the scheme that is removed or is found to be dying, diseased or seriously damaged within five years of practical completion of the planting works shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

**REASON**

These details have not been provided and are required prior to commencement of development to ensure that a landscape scheme is implemented in the interests of environmental quality and compliance with Core Strategy policy CS16.

14. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.

a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.

b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.

c) If as a consequence of the Phase 2 Site investigation a Phase 3 remediation report is required, then this shall be approved by the LPA prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

d) The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The LPA must be given two weeks written notification of commencement of the remediation scheme works. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.

e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the LPA.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment pursuant to the National Planning Policy Framework.

15. Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

- 16 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

- 17 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) wheel washing facilities
- vi) measures to control noise and the emission of dust and dirt during construction
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON:

To safeguard the living conditions of neighbouring residents and in the interests of highway safety.

18. Before any construction works are started on the application site, a Construction Impact Management Plan, indicating measures to be taken to mitigate the effects of the construction activity and associated vehicle movements upon the living conditions of neighbouring residents and highway safety shall be submitted to and approved by the Local Planning Authority. The mitigation measures shall include provision for the following: the limitation of noise, the means of enclosure of the construction sites, and any proposed external security lighting installation; the control of dust emissions; the control of deposition of mud or debris on the highway, and the routing of contractors' vehicles. The mitigation measures so approved shall be carried out at all times during the construction of the development hereby approved.

REASON:

To safeguard the living conditions of neighbouring residents.

19. All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:
  1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.
  2. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.
  3. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events. Attenuation ponds/SUDs features should not be located within 20 metres of the railway boundary where the site is below the level of the railway.
  4. There should be no connection to existing railway drainage without agreement with Network Rail prior to work commencing on site.

**REASON:**

To ensure the safety, operational needs and integrity of the railway

20. Prior to the commencement of development details of an Armco or similar barrier shall be submitted to and approved in writing by the Local Planning Authority. The details shall include indicating the positions where vehicles may drive into or roll onto the railway or damage the lineside fencing.

**REASON**

To ensure the safety, operational needs and integrity of the railway

21. Prior to the commencement of development details of a trespass proof fence shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the type, height, location and specification of the fencing and once erected shall be maintained for the lifetime of the development.

**REASON:**

To ensure the safety, operational needs and integrity of the railway

22. Prior to the commencement of development, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location and colour and shall be design in such a way so as not to dazzle train drivers. The development shall be carried out in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**REASON:**

To ensure the safety, operational needs and integrity of the railway

**INFORMATIVES**

01. **INFORMATIVE**  
The developer shall consider incorporating all possible sustainability features into the design of the proposed development.
02. **INFORMATIVE**

The applicant is reminded of the need to contact Plant Protection prior to the commencement of any works on site to ensure no apparatus belonging to either National Grid or Cadent Gas is affected by the proposed works. Further details, including of how to make contact can be found in correspondence available to view on Doncaster Planning Applications online (letter dated 21.8.2019)

03.           INFORMATIVE

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

04.           INFORMATIVE

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

05.           INFORMATIVE

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

06.           INFORMATIVE

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if

excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

07. INFORMATIVE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

08. INFORMATIVE

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

09. INFORMATIVE

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

10. INFORMATIVE

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem, particularly in connection with any large construction or delivery vehicles connected to the site that may be routed under the adjacent railway bridge on South End which has a height restriction of 4.3m. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

11. INFORMATIVE

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

12. INFORMATIVE

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any

future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

13. INFORMATIVE

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. In particular, access to Thorne South Station must remain clear and unobstructed at all times both during and after construction.

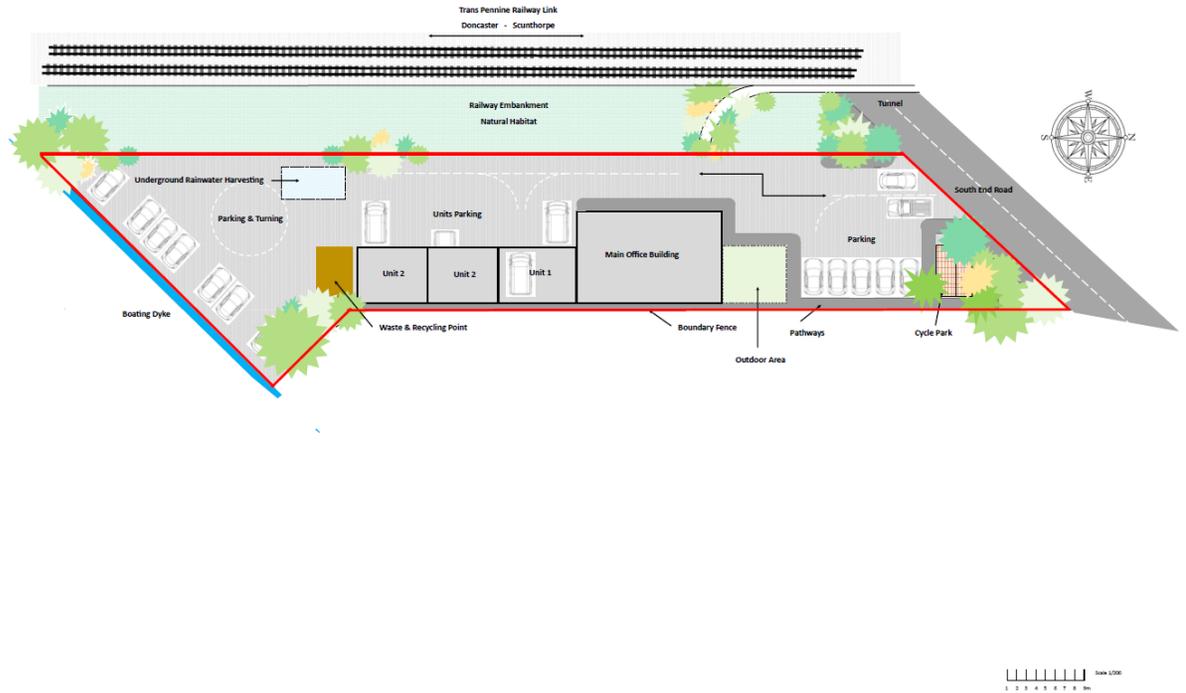
Network Rail is required to recover all reasonable costs associated with facilitating these works.

14. INFORMATIVE

The applicant's attention is drawn to correspondence dated 17.9.2019 detailing matters whereby there is the need to seek drainage board consent prior to the commencement of any works on site. This correspondence is available to view on Doncaster Planning Applications Online and should be attended to in addition to any granted of consent under the Town and Country Planning Act 1990.

**The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence**

# Appendix 1



# Appendix 2

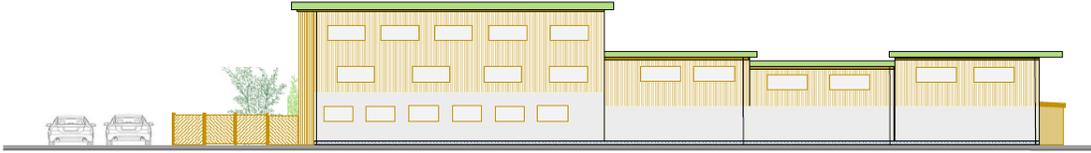
## Indicative Elevations Land at South End Thorne



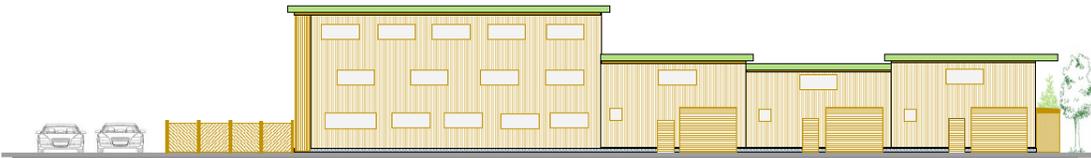
Front North Elevation To South End Road



Rear South Elevation To Boating Dyke



East Elevation To Thorne Marine



West Elevation To Railway Embankment



## Indicative Floor Plans Land at South End Thorne



Ground Floor



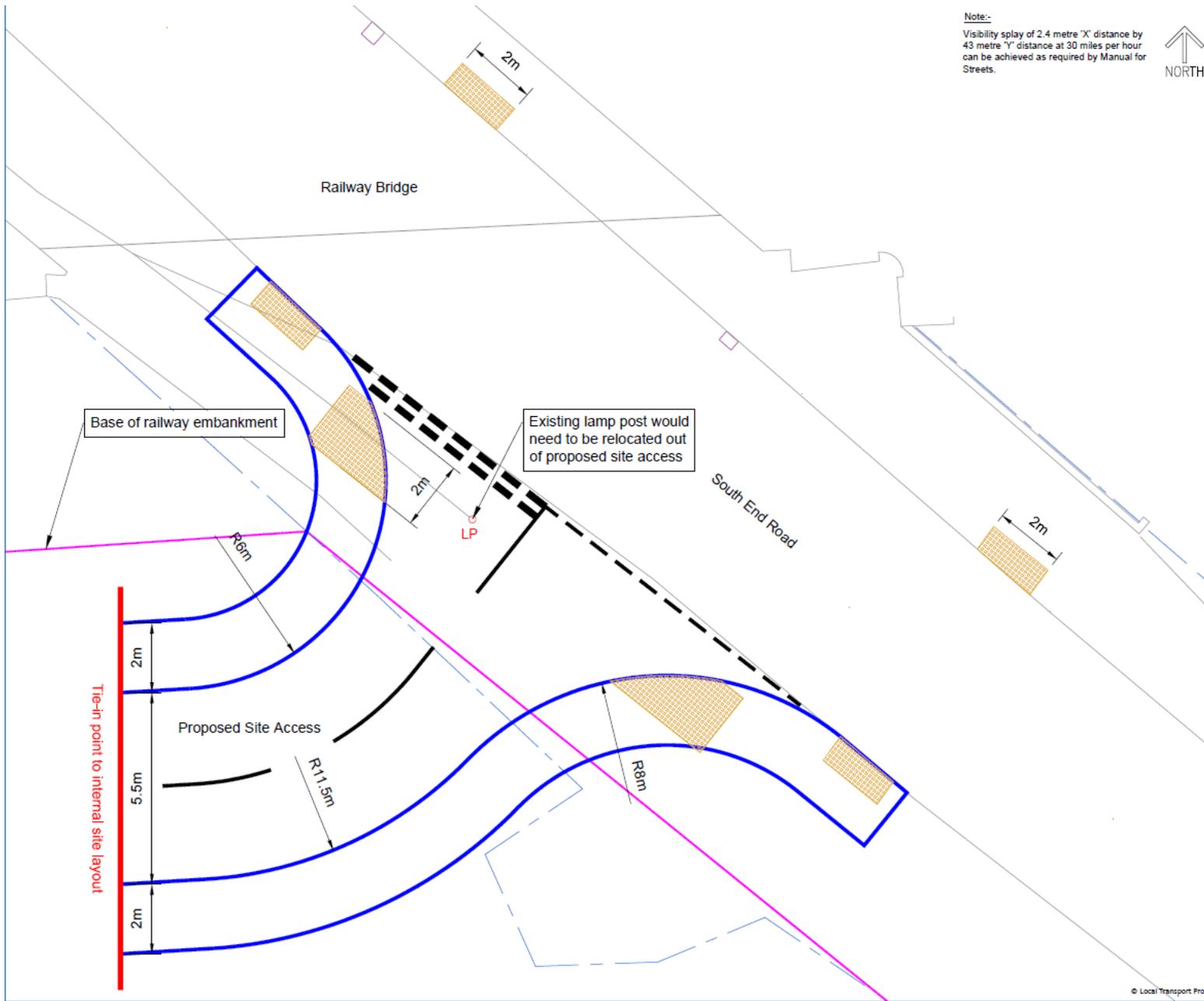
First floor



Second floor







**Note:-**  
 Visibility splay of 2.4 metre 'X' distance by 43 metre 'Y' distance at 30 miles per hour can be achieved as required by Manual for Streets.



A3

	Proposed Road Markings
	Proposed Kerbline
	Assumed Site Boundary
	Proposed Dropped Kerb and Tactile Paving
	Effected Lamp Post

**Note:-**

1. Preliminary Design Layout Only. Scheme subject to further detailed design (inc. drainage design).
2. Scheme subject to Statutory Undertakers Apparatus Search.

**Disclaimers:-**

- i. This drawing is copyright and must not be copied in part or in whole unless agreed in writing by Local Transport Projects Ltd.
- ii. Reference should be made to the project's register to ensure the latest drawing is being referred to.
- iii. All dimensions are to be checked by the contractor prior to commencement of work. Any discrepancy shall be reported immediately to Local Transport Projects Ltd.
- iv. All work shall be carried out in accordance with local authority, statutory authority and health & safety requirements & regulations.
- v. This drawing is produced to be printed and read in colour. Reproduction in black and white may prevent correct interpretation of some aspects.
- vi. Based on topographical survey provided by client.

Rev.	Date	By	Chk	Description
B	18/07/20	OA	AM	Amended to reflect comments from Doncaster etc.
A	16/05/19	OA	AM	Access relocated to northern side of site

Client

Build Junky

Project

Proposed Start-up Business Park, South End, Thorne

Title

Preliminary Access Design



local transport projects  
 traffic engineering and transport planning  
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 The Fenestrate Centre,  
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 e: info@local-transport-projects.co.uk  
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 Registered No. 5295339

Drawn	OA	Date	26/09/19
Scale	1:100	Checked	AM
Status		Approved	AM

PRELIMINARY

Drawing number

Project	Job	Drawing	Sheet	Revision
LTP/3896	P1	01	01	B

**Note:-**  
 Visibility splay of 2.4 metre 'X' distance by 43 metre 'Y' distance at 30 miles per hour can be achieved as required by Manual for Streets.



	Proposed Road Markings
	Proposed Kerbline
	Assumed Site Boundary
	Proposed Dropped Kerb and Tactile Paving
	Right visibility splay (2.4m x 48m) achievable in excess of MFS (30mph/48kph)
	Left visibility splay (2.4m x 40m) achievable in excess of MFS (30mph/48kph)

**Note:-**  
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 2. Scheme subject to Statutory Undertakers Apparatus Search.

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 v. This drawing is produced to be printed and read in colour. Reproduction in black and white may prevent correct interpretation of some aspects.  
 vi. Based on topographical survey provided by client.

B	08/07/20	OA	AM	Approved to reflect comments from Developer etc.
A	05/07/20	OA	AM	Access relocated to northern side of site
Rev.	Date	By	Chk	Description

Client  
 Build Junky

Project  
 Proposed Start-up Business Park, South End, Thorne

Title  
 Preliminary Access Design Visibility Splay

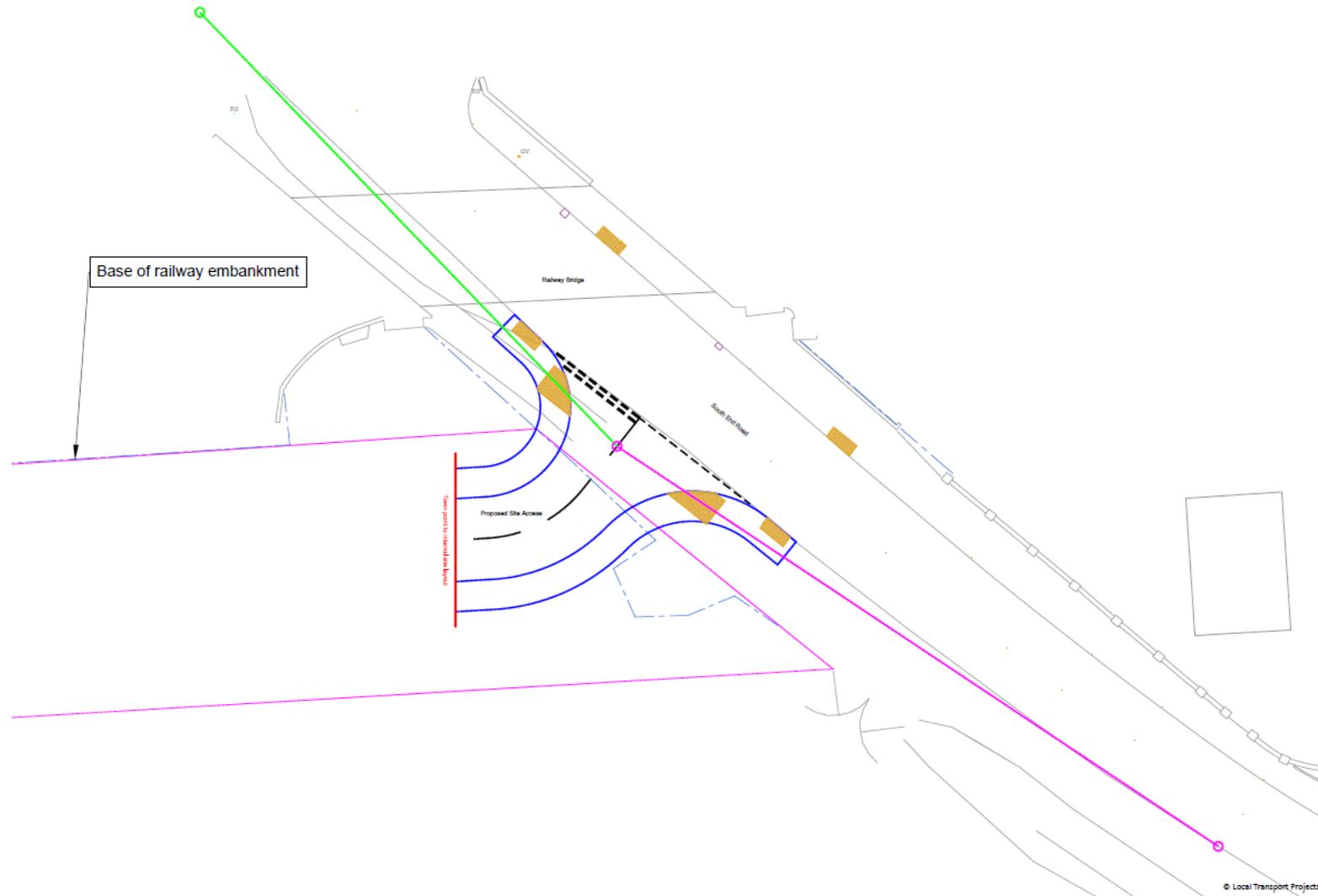
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Drawn	OA	Date	06 12 19
Scale	1 : 250	Checked	AM
Status		Approved	AM

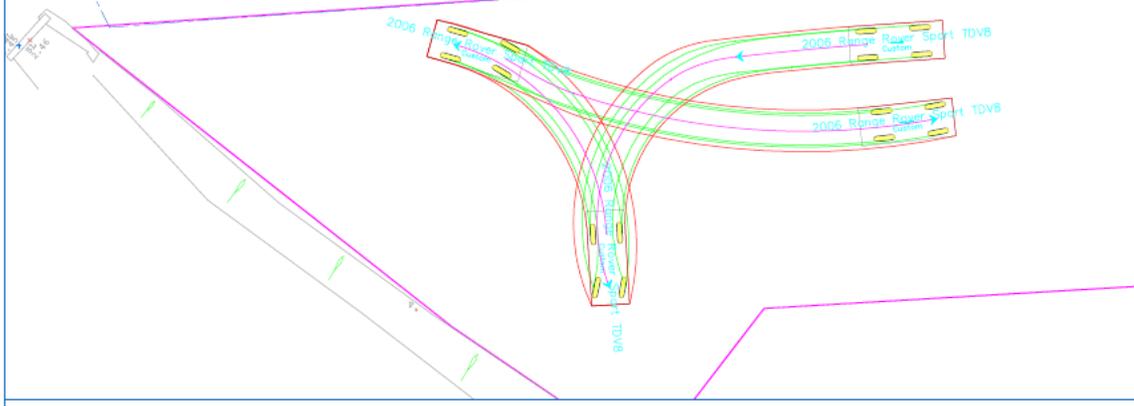
**PRELIMINARY**

Drawing number	LTP/3896/C1/01/01	B
Project	Job	Drawing
Sheet	Revision	





Passenger vehicle doing 3 point turn in approximate location of turning area.



4.79

**2006 Range Rover Sport TDV8**

Width	: 1.93
Track	: 1.61
Lock to Lock Time	: 6.0
Steering Angle	: 32.9

10mm A3

	Assumed Site Boundary
	Outer Wheel Track
	Vehicle Swept Path
	Vehicle Centreline and Direction
	Vehicle Body Clearance

**Note:-**

1. Preliminary Design Layout Only. Scheme subject to further detailed design (inc. drainage design).
2. Scheme subject to Statutory Undertakers Apparatus Search.
3. Swept Path Analysis are indicative only as Internal site layout not provided by client.

**Disclaimers:-**

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2. Reference should be made to the project's drawing register to ensure the latest drawing is being referred to.
3. All dimensions are to be checked by the contractor prior to commencement of work. Any discrepancy shall be reported immediately to Local Transport Projects Ltd.
4. All work shall be carried out in accordance with local authority, statutory authority and health & safety requirements & regulations.
5. This drawing is produced to be printed and read in colour. Reproduction in black and white may prevent correct interpretation of some aspects.
6. Based on topographical survey provided by client.

Refuse wagon doing 3 point turn in approximate location of turning area.



8.74

**REFUSE 3AXLE**

Width	: 2.50
Track	: 2.50
Lock to Lock Time	: 6.0
Steering Angle	: 35.3

B	2019	OA	AM	Revised to reflect comments from Designer
A	2019	OA	AM	Access released to northern side of site

Rev.	Date	By	CHK	Description

Client: **Build Junky**

Project: **Proposed Start-up Business Park, South End, Thorne**

Title: **Preliminary Access Design Swept Path Analysis Turning Area at Rear of Site**

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Drawn	OA	Date	24.09.19
Scale	1:200	Checked	AM
		Approved	AM

Status: **PRELIMINARY**

Drawing number	Project	Issue	Drawing	Issue	Revision
LTP/3896	T1	02	01		B